

**Iowa Department of Natural Resources
Natural Resource Commission**

ITEM

16

DECISION

TOPIC

Final Rule--Chapter 108, Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red And Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf And Spotted Skunk Seasons.

The Commission is requested to adopt a final rule to amend Chapter 108, “Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red And Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf And Spotted Skunk Seasons, Iowa Administrative Code.”

These amendments allow a limited number of bobcats to be taken in the southern part of Iowa, closes the beaver trapping season on April 1 instead of April 15, and makes the grace and tagging period for both the otter and bobcat seasons the same at 48 hours.

About 20 comments were received. About $\frac{3}{4}$ of the comments received were opposed to the bobcat season. Most of these did not want bobcat trapping under any circumstances but several stated they would like to see bobcat populations continue to grow and expand and trapping should be delayed. About $\frac{1}{4}$ of the comments supported the season and a couple asked that the season be expanded to include their areas as they felt they had enough animals to warrant a season.

Ken Herring, Administrator
Conservation and Recreation Division
June 14, 2007

Attachment: Chapter 108-Final Rule

NATURAL RESOURCE COMMISSION[571]
Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 108, Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons, Iowa Administrative Code.

These amendments allow a limited number of bobcats to be taken in the southern part of Iowa, closes the beaver trapping season on April 1 instead of April 15, and makes the grace and tagging period for both the otter and bobcat seasons the same at 48 hours.

Notice of Intended Action was published in the Iowa Administrative Bulletin on May 5, 2007, as ARC 5873B. A public hearing was held on May 30, 2007. About 20 total comments were received. About $\frac{3}{4}$ of the comments received were opposed to the bobcat season. Most of these did not want bobcat trapping under any circumstances but several stated they would like to see bobcat populations continue to grow and expand and trapping should be delayed. About $\frac{1}{4}$ of the comments supported the season and a couple asked that the season be expanded to include their areas as they felt they had enough animals to warrant a season.

These amendments are intended to implement Iowa Code sections 481A.6 , 481A.38 , 481A.39 , 481A.87 , and 481A.90.

The following amendments are proposed.

ITEM 1. Amend rule 571--108.4(481A), as follows:
571--108.4(481A) Beaver. Open season for the taking of beaver shall be from 8 a.m. on the first Saturday in November through April 1 of succeeding year. No bag or possession limit.

ITEM 2. Amend rule 571--108.6(481A), as follows:
571--108.6(481A) ~~Bobcat, gray~~ Gray (timber) wolf, and spotted skunk. Continuous closed season.

ITEM 3. Amend rule 571--108.7(481A):
571--108.7(481A) River otter ~~trapping and bobcat~~.

108.7(1) License requirements. Each person who ~~traps~~ takes river otters or bobcats shall have a valid fur harvester license and pay the habitat fee if normally required to have a license to hunt or trap.

108.7(2) Areas open to ~~trapping~~. ~~Trapping for river otters is open~~ River otters may be taken statewide. Bobcats may be taken in the following counties: Adams, Appanoose, Clarke, Davis, Decatur, Des Moines, Fremont, Henry, Jefferson, Lee, Lucas, Mills, Monroe, Montgomery, Page, Ringgold, Taylor, Union, Van Buren, Wapello, and Wayne.

108.7(3) Quotas and seasonal bag limit.

a. Seasonal bag limits. The seasonal bag limit is 2 river otters and 1 bobcat per ~~trapper~~ person.

b. Quotas. The quota for the number of river otters that may be taken is 400 statewide. The quota for the number of bobcats taken is 150 in the open area. The season shall end for river otters when the number of river otters trapped, as determined by the harvest reporting system, reaches 400. The season shall end for bobcats when the number of bobcats taken, as determined by the harvest reporting system, reaches 150. Trappers shall be allowed a ~~72~~ 48 hour grace period after the quota is reached to clear their traps of river otters or bobcats. River otters or bobcats found in traps during the grace period may be kept even though the quota is exceeded, as

long as the trapper has not reached his or her personal bag limit. River otters or bobcats trapped after the grace period or in excess of the seasonal bag limit must be turned over to the department; the trapper will not be penalized.

108.7(4) Season dates. The season for ~~trapping~~ taking river otters and bobcats opens on ~~the same date as the trapping seasons described in 571--108.1(481A)~~ first Saturday in November and ~~else~~ closes when the quota has been reached, as explained in this rule, or January 31 of the following year, whichever occurs first.

108.7(5) Reporting requirements.

a. ~~A trappers~~ Anyone, including a landowner or tenant not required to have a furharvester license, who ~~traps~~ takes a river otter or bobcat must report the harvest to a DNR conservation officer or designated DNR employee within 24 hours. The ~~trapper~~ furharvester must arrange to receive a CITES tag ~~or Iowa River Otter Harvest Tag~~ from the officer or DNR employee within ~~72~~ 48 hours of the time the harvest is reported or before the river otter or bobcat is skinned, whichever first occurs.

b. ~~Conservation officer reporting.~~ Upon receiving a telephone report ~~from a trapper~~ that a river otter or bobcat has been legally taken, ~~the conservation officers~~ officer or DNR employee will call the department's harvest reporting system. The number of river otters and bobcats taken will be updated daily, and a message recorded on the department's telephone system. The number taken will be available 24 hours a day. ~~Trappers~~ Furharvesters may check the message daily to determine when the season closes and the grace period begins and ends. The department will use all practical means to publicize these dates.

108.7(6) Tagging requirements. Every river otter or bobcat that may legally be kept ~~by a trapper~~ must have a CITES ~~or Iowa River Otter Harvest Tag~~ tag attached. Tags will be supplied by the conservation officer or designated DNR employee. The tag must remain with the pelt until the pelt is sold or used for other purposes that renders it no longer available for sale. Persons displaying river otters as taxidermy mounts or other decorative items must keep the tag in their possession as proof of legal harvest.

ITEM 4. Amend rule 571--108.8(481A):

571—108.8(481A) Accidental capture of a river otter or bobcat during a closed season. A person who accidentally captures a river otter or bobcat during a closed season or in a closed area or after the person's individual bag limit has been reached shall not be penalized provided that:

1. The river otter or bobcat is captured during a legal trapping season or as part of a legal depredation control process; and

2. A conservation officer is contacted within 24 hours and the river otter or bobcat and all parts thereof are turned over to a conservation officer as soon as practical.

Date

Richard A. Leopold, Director

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